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PTO/SB/01 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration  
Submitted  
with Initial  
Filing  
OR  
☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

|                               |                        |
|-------------------------------|------------------------|
| <b>Attorney Docket Number</b> | MT 100                 |
| <b>First Named Inventor</b>   | Stephen T. Sonis       |
| <b>COMPLETE IF KNOWN</b>      |                        |
| <b>Application Number</b>     | 09 / 265,299           |
| <b>Filing Date</b>            | March 9, 1999          |
| <b>Group Art Unit</b>         | 1614                   |
| <b>Examiner Name</b>          | Delacroix Muirheid, C. |

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND COMPOSITIONS FOR TREATING AND PREVENTING MUCOSITIS

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 03/09/1999

as United States Application Number or PCT International

Application Number 09/265,299

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed   | Certified Copy Attached?<br>YES NO   |
|-------------------------------------|---------|----------------------------------|--|--|
|                                     |         |                                  | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below

| Application Number(s) | Filing Date (MM/DD/YYYY) |   |
|-----------------------|--------------------------|---|
| 60/077,977            | 03/13/1998               | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto |

[Page 1 of 2]

Burden Hour Statement This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

MT 100

9054/11

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:

☐ Customer Number  
or Bar Code LabelOR ☒

Correspondence address below

Name Patrea L. Pabst; Arnall Golden &amp; Gregory, LLP

Address 2800 One Atlantic Center

Address 1201 West Peachtree Street

City Atlanta

State GA

ZIP 30309-3450

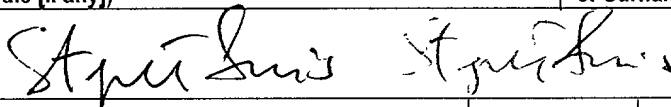
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Telephone (404) 873-8794

Fax (404) 873-8795

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventorGiven Name  
(first and middle [if any]) Stephen T.Family Name  
or Surname SonisInventor's  
Signature

Date 2/15/01

Residence: City Wayland

State MA

Country US

Citizenship US

Mailing Address Eight Decatur Lane

Mailing Address

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State MA

ZIP 01778

Country US

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventorGiven Name  
(first and middle [if any]) Edward G.Family Name  
or Surname FeyInventor's  
Signature

Date

Residence: City Boston

State MA

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Citizenship US

Mailing Address 42 Commonwealth Avenue, Apartment 3

Mailing Address


City Boston

State MA

ZIP 02116

Country US

— Additional inventors are being named on the — supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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PTO/SB/81 (10-00)

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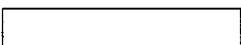
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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

|                        |                            |
|------------------------|----------------------------|
| Application Number     | Continuation of 09/265,299 |
| Filing Date            | March 7, 2001              |
| First Named Inventor   | Stephen T. Sonis           |
| Group Art Unit         |                            |
| Examiner Name          |                            |
| Attorney Docket Number | MT 100 CON                 |

I hereby appoint:

☐ Practitioners at Customer Number  **OR**

☒ Practitioner(s) named below:

Place Customer  
Number Bar Code  
Label here

| Name            | Registration Number |
|-----------------|---------------------|
| Patrea L. Pabst | 31,284              |
| Zhaoyang Li     | 46,872              |
|                 |                     |
|                 |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

**OR**

|   |   |       |                |     |            |
|---|---|-------|----------------|-----|------------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Patrea L. Pabst; Arnall Golden & Gregory, LLP |       |                |     |            |
| Address   | 2800 One Atlantic Center                      |       |                |     |            |
| Address   | 1201 West Peachtree Street                    |       |                |     |            |
| City  | Atlanta                                       | State | GA             | Zip | 30309-3450 |
| Country   | USA   |       |                |     |            |
| Telephone   | (404) 873-8794                                | Fax   | (404) 873-8795 |     |            |

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

|           |                          |
|-----------|--------------------------|
| Name      | Mucosal Therapeutics LLC |
| Signature |                          |
| Date      |                          |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 forms are submitted.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Stephen T. Sonis and Edward G. Fey

Application No./Patent No.: 09/265,299 Filed/Issue Date: March 9, 1999

Entitled: METHODS AND COMPOSITIONS FOR TREATING AND PREVENTING MUCOSITIS

Mucosal Therapeutics LLC, a Corporation,  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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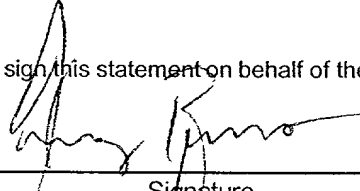
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

**NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

July 27, 1999  
Date

  
\_\_\_\_\_  
Signature  
Harry B. Smith  
\_\_\_\_\_  
Typed or printed name  
Manager  
\_\_\_\_\_  
Title